

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

*

BRUCE ALLEN LILLER	*														
Plaintiff	*														
VS.	*														
ROBERT KAUFFMAN, et al.	*														
Defendants and Third-Party Plaintiffs	*														
	*														
v.	*														
ROGER LEE HELBIG	*														
Third-Party Defendant	*														
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

1. Has Discovery been completed?

Defendants Joseph Kauffman and Robert Kauffman have been unable to secure the testimony by deposition of Third Party Defendant Robert Kauffman. Two depositions have been noted of Helbig, both were cancelled as Helbig did not have transportation.

Defendants Kauffman have not provided reports of their expert Dr. Spector. Plaintiffs and Defendants counsel have agreed that the report will be accepted by Plaintiff and Defendants agree to make Dr. Spector available upon request.

The Deposition of Plaintiffs expert, Dr. Jack Bergstien commenced on December 23, 2003. Due to the Doctors schedule the Deposition was not

completed. The parties and the Expert have agreed to finish the Deposition on January 5, 2004.

2. Pending Motions- None
3. Pretrial Motions- None to be filed by Plaintiff.
4. Length of Trial, Jury

Plaintiffs anticipate the trial to take 2-3 days. Plaintiff requested a Jury Trial in this matter.

5. Settlement Negotiations-

Plaintiffs have previously sent demand letters to counsel for Defendants Robert Kauffman and Joseph Kauffman. The time limits on said demands expired without any counter offers by Defendants.

Plaintiffs settled the matter with Third Party Defendant Helbig prior to the Complaint being filed herein.

6. Settlement Conference

Plaintiffs request a Settlement Conference.

7. U.S. Magistrate Judge.

Plaintiffs have consented to a U.S. Magistrate Judge. Defendants Robert and Joseph Kauffman have not consented to a referral.

8. Other matters.

Plaintiffs have no other matters to present to the Court at this time.

Respectfully Submitted:

/s/Arnold F. Phillips

Arnold F. Phillips
PO Box 537
25254 Garrett Highway
McHenry, MD 21541
(301) 387-2800

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 24th day of December, 2003, I mailed, postage prepaid a copy of the foregoing to:

**Kathleen M. Bustraan, Esquire
Jennifer S. Lubinski, Esquire
Lord & Whip, P.A.,
Charles Center South, 10th Floor
36 S. Charles Street
Baltimore, Maryland 21201
Attorney for Defendant's and Third-Party Plaintiffs**

AND

**Donald L. Speidel, Esquire
Law Offices of Progressive Casualty Insurance Co.
21 Governor's Court
Suite 260
Baltimore, Maryland 21244**

AND

**Toyja E. Kelley, Esquire
Tydings and Rosenberg, LLP
100 East Pratt Street
Baltimore, Maryland 21202.**

/s/ Arnold F. Phillips
Arnold F. Phillips, Esq.

